

The Hon. Marc Barreca
Chapter 7
Location: Everett Station
Hearing Date: July 31, 2019
Hearing Time: 10:00 a.m.
Response Due: July 24, 2019

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF WASHINGTON**

In re:

DAVID ALAN FORCE

Debtor.

) Chapter 7

) No. 15-17343-MLB

) **DEBTOR'S RESPONSE TO TRUSTEE'S**
) **MOTION FOR ORDER APPROVING**
) **THE SALE OF STOCK OF**
) **NORTHSHORE HOLDINGS, LLC**

COMES NOW David Alan Force ("Debtor") and for his response to the Trustee's
motion to sell the stock of Northshore Holdings, LLC, states as follows:

In November 2018, debtor offered to settle all of the then pending adversary proceedings
and to purchase the estate's interest in all remaining assets for a total of \$45,000. The Trustee
never responded to this offer.

Debtor contacted the Trustee on February 21 and 26, 2019, about debtor's offer to settle
the remainder of the case. The Trustee said that a response would be forthcoming on February 26
or 27.

On February 27, 2019, the Trustee said she would accept \$90,000 in exchange for a
global settlement of the case, including all entities or assets in which debtor had any interest.

On March 11, 2019, debtor responded that he was not willing to offer more than the
\$20,000 he had previously offered for the remaining assets unless the Trustee could show how
the Trustee was coming up with a value of \$90,000 for the estate. Debtor stated that perhaps the
Trustee was aware of facts unbeknownst to debtor and asked, "What are we missing?" Debtor

1 also proposed mediation, which debtor had suggested several times previously. The Trustee has
2 never responded to debtor's queries or his suggestion that the parties go to mediation.

3 On July 10, 2019, debtor contacted the Trustee after the Trustee filed the instant motion
4 to sell the stock of Northshore Holdings, LLC. Debtor noted that the Trustee had never
5 responded to the debtor's March 11, 2019, email or the questions debtor had presented in that
6 email. Debtor said, "If you had let us know what was going on, we could have resolved this
7 weeks ago. Mr. Force is willing to pay the \$90,000 you had requested as a global settlement in
8 order to get this case closed. Please give me a call and let's see if we can work this out." The
9 Trustee responded by asking whether debtor wanted to make an offer to purchase the assets (i.e.,
10 the membership interest in Northshore Holdings, LLC), and if so, the Trustee would conduct an
11 auction. Debtor replied by asking whether the Trustee was still interested in settling the case. The
12 Trustee has not responded to this question. Debtor affirmed that he was interested in purchasing
13 the assets.
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17 The present motion and supporting declaration state that the Trustee tried to reach an
18 agreement with the debtor to buy the estate's interest in Northshore Holdings, LLC, but were
19 unable to agree upon terms. There was never any discussion or negotiation regarding debtor's
20 purchase of the estate's interest in Northshore Holdings, LLC. The only "terms" that the Trustee
21 has ever offered were the February 27, 2019, offer to enter into a global settlement in exchange
22 for \$90,000. Debtor asked the Trustee for more information to support the \$90,000 the Trustee
23 was demanding. The Trustee never responded. The Trustee has not responded to debtor's July
24 10, 2019, agreement to pay the Trustee \$90,000 as a global settlement.
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27 Dated: July 24, 2019.

/s/Cawood K. Bebout
Cawood K. Bebout, WSBA #34904
Attorney for Debtor